

**McELROY, DEUTSCH, MULVANEY
& CARPENTER, LLP**

1300 Mt. Kemble Avenue

P.O. Box 2075

Morristown, NJ 07962

(973) 993-8100

Attorneys for Plaintiff,

Metropolitan Life Insurance Company

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**METROPOLITAN LIFE INSURANCE
COMPANY,**

Plaintiff,

vs.

**THELMA LOPEZ AND MARIA
SOLENILDA SEVERINO,**

Defendants.

Civil Action No.: 1:20-CV-1076 (LJL)(GWG)

(ORAL ARGUMENT REQUESTED IF OPPOSED)

THIS MATTER, having been opened to the Court upon application of McElroy, Deutsch, Mulvaney & Carpenter, LLP, attorneys for Plaintiff, Metropolitan Life Insurance Company (“MetLife”), and upon notice to defendants Thelma Lopez and Maria Solenilda Severino (collectively, “Defendants”), and the Court having reviewed and considered the application and all materials submitted herewith and all pleadings and proceedings to date, and the Court being fully informed:

IT IS on this 4 day of September, 2020,

ORDERED that Defendants are compelled to litigate, adjust and/or settle among each other their respective and lawful entitlement to the life insurance, accidental death and dismemberment coverage, and seat-belt use coverage benefits (collectively, the “Plan Benefits”),

payable pursuant to the Building Service 32 B-J Health Fund (the “Fund”) as a result of the death of Jose Luis Lopez (the “Decedent”), or upon their failure to do so, this Court to settle and adjust the claims and determine to whom the life insurance benefits, which are deposited with the Clerk of the Court, should be paid; and it is further

ORDERED that the Defendants be and hereby are permanently restrained and enjoined from instituting and/or prosecuting any other suit, cause of action or civil proceeding in any state, federal or other court of competent jurisdiction against MetLife, the Fund, and Building Service 32 BJ Health Fund’s Basic Life Insurance Plan (the “Plan”) seeking Plan Benefits, plus any applicable interest, or asserting damage claims arising under the said Plan, on account of the death of the Decedent; and it is further

ORDERED that MetLife hereby is dismissed from this action with prejudice and without any further liability in connection with the Fund, the Plan, and the Plan Benefits due thereunder as a result of the death of the Decedent; and it is further

ORDERED that a copy of this Order and Judgment shall be served upon all parties within seven (7) days of receipt thereof.



Hon. Lewis J. Liman, U.S.D.J.

September 4, 2020